

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

ARISTIDES and NANCY IANNOIS,

No. 04-11091

Debtor(s).

Memorandum on Fee Application

Section 503(b)(2) of the Bankruptcy Code provides that fees awarded pursuant to § 330(a) of the Code are entitled to priority as an expense of administration. Attorney's fees to a Chapter 13 debtor's counsel are allowable pursuant to § 330(a)(4)(B) of the Code to the extent a debtor was reasonably benefitted. It appearing that the debtors reasonably benefitted from counsel's services, his fee application will be approved. Provided, however, that the claim arising from these fees will be subordinated to other administrative expense claims incurred during the time the case is or was under Chapter 7 as provided by § 726(b).

Counsel for the debtors shall submit an appropriate form of order which the Chapter 7 trustee has approved as to form.

Dated: January 9, 2006


Alan Jaroslovsky
U.S. Bankruptcy Judge